

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EMA FINANCIAL, LLC, a Delaware Limited Liability Company,	:	Case No.: 17-cv-9706-VSB
	:	
	:	
Plaintiff,	:	
	:	
- against -	:	<u>STIPULATED PROTECTIVE</u>
	:	<u>ORDER</u>
JOEY NEW YORK, INC., a Nevada Corporation, RAR	:	
BEAUTY, LLC, a Florida Limited Liability Company,	:	
LABB, INC., a Florida Corporation, REFLEX	:	
PRODUCTIONS, INC., a Florida Corporation, and JOEY	:	
CHANCIS, a Citizen of Florida, RICHARD CHANCIS, A	:	
Citizen of Florida, and RICHARD ROER, A Citizen of	:	
Florida,	:	
	:	
Defendants.	:	
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VERNON S. BRODERICK, District Judge:

The Court having found that good cause exists for issuance of an appropriately tailored confidentiality order governing any materials related to any profits that Plaintiff earned from conversions or sales of Joey New York, Inc. stock (the “Proceeds Documentation”), it is therefore hereby

ORDERED that any person subject to this Order — including without limitation the parties to this action, their representatives, agents, experts and consultants, and all other interested persons with actual or constructive notice of this Order — shall adhere to the following terms, upon pain of contempt:

1. Definitions.

a. Confidential Information. The term "Confidential Information" shall mean and include information contained or disclosed in any Proceeds Documentation and related trial testimony, and transcripts of trial testimony including data, summaries, exhibits, and compilations derived therefrom.

2. Scope. All documents, things, testimony, and other information, or the substance thereof in any form, including documents and things produced by either party, exhibits, and any other materials produced, and all copies, excerpts, abstracts, and summaries thereof produced, given, or filed in any proceedings in this action with respect to materials that Plaintiff submits *in camera* regarding any profits that Plaintiff earned from conversions or sales of Joey New York, Inc. stock and related documentation and information shall be subject to this Stipulation and Order concerning Confidential Information as set forth below.

(3) General Protections. Documents designated "CONFIDENTIAL" under this Order shall not be used or disclosed by the parties or counsel for the parties or any other persons identified below for any purposes whatsoever other than preparing for and conducting the litigation in which the documents were disclosed (including any appeal of that litigation). In the event that a party inadvertently or unintentionally disseminates "CONFIDENTIAL" information to someone not entitled to receive the document or information, it shall immediately notify the producing party and shall use its best efforts to retrieve the documents or information, and secure the agreement of the recipient not to disclose the "CONFIDENTIAL" information.

b. Limited Disclosure of "CONFIDENTIAL" Materials. The parties and counsel for the parties shall not disclose or permit the disclosure of any documents designated "CONFIDENTIAL" under the terms of this Order to any other person or entity

except as set forth in subparagraphs (1)-(6) below. Subject to these requirements, the following categories of persons may be allowed to review documents that have been designated "CONFIDENTIAL" pursuant to this Order:

- (1) in-house counsel and owners, managers, or employees of a party to this order, but only to the extent counsel of record shall determine that the specific individual's assistance is necessary to the conduct of the litigation in which the information is disclosed and then only after the person to whom disclosure is to be made has executed an acknowledgment (in the form set forth at Exhibit A hereto) that he or she has read and understands the terms of this Order and is bound by it;
- (2) outside counsel of record and employees of outside counsel of record involved in the preparation and trial of this action;
- (3) independent contractor lawyers and their agency staff members who may assist outside counsel in this action and then only after independent contractor lawyer and/or staff member to whom disclosure is to be made acknowledges and agrees to be bound by at the terms of Exhibit A hereto;
- (4) court reporters engaged for depositions and those persons, if any, specifically engaged for the limited purpose of making photocopies of documents;
- (5) any person who is indicated on the face of a document to have been an author, addressee, or copy recipient of the document, or the original source of the information; and

(6) other persons only upon consent of the producing party or upon order of the Court and on such conditions as are agreed to or ordered and then only after the person to whom disclosure is to be made has executed an acknowledgment (in the form set forth at Exhibit A hereto) that he or she has read and understands the terms of this Order and is bound by it.

Persons Bound. This Order shall take effect when entered and shall be binding upon all Parties in this action, counsel in this action, and their respective law firms and clients.

IT IS SO STIPULATED.

Law Office of Jeffrey Fleischmann PC

By:  _____

Jeffrey Fleischmann, Esq.

150 Broadway, Suite 900

New York, New York 10038

Tel. (646) 657-9623

Fax (646) 351-0694

Attorney for Plaintiff EMA Financial LLC

by:/s/Joey Chancis

JOEY CHANCIS

by:/s/Richard Roer

RICHARD ROER

by:/s/Richard Chancis

RICHARD CHANCIS

IT IS SO ORDERED, this 1st day of September 2021.



Hon. Vernon S. Broderick
District Judge
United States District Court
for the Southern District of New York

EXHIBIT A TO THE STIPULATED PROTECTIVE ORDER

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Citizen of Florida, and RICHARD ROER, A Citizen of	:	
Florida,	:	
	:	
Defendants.	:	
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The undersigned hereby acknowledges that he/she has read the Stipulated Protective Order dated _____, in the above captioned action, understands the terms thereof, and agrees to be bound by such terms. The undersigned submits to the jurisdiction of the United States District Court for the Southern District of New York in matters relating to the Stipulated Protective Order and understands that the terms of said Stipulated Protective Order obligate him/her to treat all discovery materials designated "CONFIDENTIAL" and/or "HIGHLY CONFIDENTIAL-OUTSIDE ATTORNEYS' EYES ONLY" strictly in accordance with the terms and conditions of the Order, use such information solely for the purposes of the above-captioned action, and not to disclose any such information to any other person, firm, or concern. The undersigned acknowledges that violation of the Stipulated Protective Order may result in penalties for contempt of court.

Name: _____

Job Title: _____

Employer: _____

Business Address: _____

Date: _____ Signature: _____